

## Office of Professional Accountability (OPA)

### Commendations & Complaints Report

### March 2003

#### Commendations:

Commendations Received in March: 63

Commendations Received to Date: 270

Rank	Summary
1 Lieutenant, 1 Sergeant, 21 Officers & 1 Civilian 2 Dispatchers	Thank you for helping make the 2003 Western Regional Law Enforcement Explorer Scout Conference a huge success. The kids enjoyed the conference because of your efforts.
2 Assistant Chiefs, 1 Captain, 1 Lieutenant, 3 Sergeants, & 4 Officers	Thank you for making the community outreach pilot project such a success. All of those involved engaged the community in conversation and provided insight about the complex job that police officers perform.
2 Officers	Thank you for a great investigation, detailed report and arrest regarding the domestic violence case
Sergeant & Officer	Thank you for your prompt, efficient, personable response to my call about my stolen vehicle. Thanks for finding my car and returning it to me in such a very prompt manner.
Officer	Thank you for coming to the African American Academy and talking with our students. You provided excellent information and a positive image of SPD.
3 Officers	Thank you for going above and beyond the call of duty, working with the Bureau of Alcohol, Tobacco and Firearms and other local agencies to recover stolen guns
Detective	Thank you for your help on the jewelry fraud case.
2 Officers	Outstanding arrest, and seizure of \$19,000 worth of cocaine.
Dispatcher	Thank you for taking my call about my stolen car and then recognizing it's license plate while you were off duty; thanks to you I have my car back
Officer	Thank you so much for helping my suicidal employee; it is comforting to know that the Police are there when we need you
Detective	Thank you for training Woodland Park's employees on how to "Recognize Substance Abuse"; very informative training
Officer	Thank you for helping my wife renew the anti-harassment order against her stalker
Detective	Thank you for your help with the investigation and trial regarding a stabbing last September.
1 Sergeant and 3 Officers	Thank you for arresting the voyeur in the Madison Park neighborhood. We will all sleep better tonight knowing we are not being watched.
6 Officers	Thank you for assisting the department in our first show of "Cops, Culture and Conversation". Your extra effort to take the time to be interviewed and your perspective on the issues between the Latino Community and Seattle Police Department were insightful and informative.

## MARCH 2003 Closed Cases:

*Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.*

*Cases are reported by allegation type. One case may be reported under more than one category.*

### UNNECESSARY FORCE

Synopsis	Action Taken
<p>The complainant and the subject, her son, alleged unnecessary force by named officers during her son's arrest for domestic violence.</p> <p>Complainant also alleged that at the time of her arrest, she was patted down by a male officer even though a female officer was available.</p> <p>Finally, the complainant alleged an officer taunted her with his taser at the time of her arrest.</p>	<p>The evidence showed that the force used was documented, screened by a supervisor, and appeared necessary to subdue the assaultive, resisting complainant and subject. Finding – EXONERATED. Recommendation of review of one officer's use of force to see if additional defensive tactics training would be appropriate.</p> <p>All officers at the scene stated that a female officer did conduct the pat-down of the complainant. The complainant failed to participate further in the investigation. Finding – UNFOUNDED.</p> <p>Complainant's allegation to OPA-IS investigator was different from the concern she voiced to a supervisor at the scene. Because the complainant refused to participate further in the investigation, the discrepancy could not be explored. Further, the supervisor addressed her initial concerns with both the complainant and officer at the scene. Finding – Converted to Supervisory Referral.</p>
<p>Complainant alleged the named officer used unnecessary force when he "threw" the subject into the back seat of a patrol car during an arrest for auto theft.</p> <p>Complainant also alleged the named officer used profane and demeaning language.</p>	<p>The named and witness officer both state no force was used. The complainant and the witness, the complainant's cousin, gave entirely conflicting statements. Finding – UNFOUNDED.</p> <p>The subject and witness gave inconsistent and illogical statements about the language. The named officer denied the use of profanity or derogatory names. Finding – UNFOUNDED.</p>
<p>Complainant alleged that unnecessary force was used during his arrest and that the named officer made an inappropriate remark.</p>	<p>An independent witness disputes the complainant's account and supports the account given by the officers. The complainant's credibility is questionable. Finding – UNFOUNDED.</p>
<p>Complainant alleged the named officer forced his head down toward the patrol car spotlight during an investigative stop.</p> <p>The complainant also alleged the named officer used profanity and threw his I.D. into the grass.</p>	<p>The officer and complainant gave conflicting statements of what occurred. The other citizen witness could not be located. Finding – NOT SUSTAINED.</p> <p>Named officer stated that the I.D. was wrapped into a shirt and fell to the ground when the shirt was returned to the complainant. There were no independent witnesses to the stop. Finding – NOT SUSTAINED.</p>
<p>Complainant alleged unnecessary</p>	<p>The force alleged by the complainant was consistent with</p>

<p>force was used during his arrest.</p> <p>Complainant also alleged the named officer failed to collect and safeguard personal property left on a bench at the scene of the arrest.</p> <p>Finally, the complainant alleged the named officer used profane and abusive language during the arrest.</p>	<p>that reported by the named officer and other witness officers, screened, and documented. Evidence showed the force used was reasonable to overcome the complainant's aggression and resistance. Finding – EXONERATED.</p> <p>Complainant made inconsistent statements regarding the allegedly missing property and jail records show no dispute about the personal property at time of booking. Finding – UNFOUNDED.</p> <p>The named officer denied making the remarks alleged; no witness officers heard the alleged remarks; and the complainant failed to provide names of witnesses he claimed would corroborate his allegations. Finding – UNFOUNDED.</p>
<p>Complainant alleged that when he attempted to get out of his car, the named officer pushed him with his car door.</p> <p>Complainant also alleged he was ordered by the named officer to leave the area without cause and then threatened to be cited if he did not.</p>	<p>The evidence showed the named officer ordered the hostile subject to stay in the car for safety reasons, but the subject tried to exit. The named officer held the door to thwart the subject's efforts. The complainant's claim of injury is meritless. Finding – UNFOUNDED.</p> <p>There is not enough information to prove or disprove the allegation that the named officer gave the subject an unwarranted order to leave the area. Finding – NOT SUSTAINED.</p>
<p>Complainant alleged the named officer used unnecessary force during his arrest for assault.</p> <p>Complainant also alleged an unknown officer made derogatory and racial remarks during his arrest.</p>	<p>The complainant's statement is not supported by the facts. The evidence showed that the complainant ran from police and resisted arrest. The force used during the arrest was reported, screened, and documented. Finding – UNFOUNDED.</p> <p>All officers, including officers of color at the scene, state that no derogatory or racial comments were made. The sergeant who screened the force stated that the complainant did not mention any inappropriate comments when he was interviewed at the precinct. Finding – UNFOUNDED.</p>
<p>Complainant reported unnecessary force during an arrest for possession of narcotics.</p>	<p>Investigation showed that the named officer used force in an attempt to handcuff the subject. This force was reasonable and necessary. The complainant's additional allegations of force had no merit. Finding – UNFOUNDED.</p>
<p>Complainant alleged the named officers used unnecessary force during his arrest.</p>	<p>Evidence showed that the officers used only control techniques on the intoxicated subject. Finding – UNFOUNDED.</p>
<p>Complainant alleged named officer used unnecessary force on a subject in a downtown park.</p>	<p>Evidence produced in this investigation indicates that this complaint may be false. The investigation showed the officers used minimal force to arrest the combative subject. The statements of independent witnesses contradict the complainant's account. Finding – ADMINISTRATIVELY UNFOUNDED.</p>
<p>It was alleged that the named officer misused his authority, used excessive force, and brought discredit to himself and the Department when he went while off duty to the subject's home to</p>	<p>The investigation and review determined that the officer had the legal authority to arrest the subject. Finding – EXONERATED. The investigation and review produced insufficient evidence to prove or disprove that the officer used unnecessary force. Finding – NOT SUSTAINED. The evidence did show that the named officer allowed his anger</p>

confront and arrest the subject for an improper relationship with the officer's daughter.	to cloud his judgment and acted in an unprofessional manner. Finding – SUSTAINED.
---	---

## MISUSE OF AUTHORITY

Synopsis	Action Taken
Complainant alleged traffic violation was based on his race and that his car was improperly searched.	The complainant was cited for a right-turn violation and warned about the use of turn signals. Named officers denied that race played any part in their decision to stop for the traffic violation, and the complainant could cite no facts or circumstances in support of his contention that the stop was based on race. Finding – UNFOUNDED. The investigation also showed the officers had a lawful reason to “frisk” the passenger compartment of the vehicle as the officers had observed the complainant and his passenger make furtive movements prior to stopping. Finding – EXONERATED. Policy recommendation made to document vehicle pat-downs.
A supervisor with another law enforcement agency alleged that during a DUI arrest process of an off-duty Department employee, the named employee, an SPD supervisor, was trying to get preferential treatment for the Department employee.	The evidence was inconclusive. The complainant did not remember the exact words used, but felt the clear implication was to get the employee out of trouble. The named officer denied asking for preferential treatment, and stated that he only inquired about the process. The named officer did not argue when told the Department employee would be processed for DUI. Finding – NOT SUSTAINED.
Complainant alleged he was stopped by the named employee for no reason, then yelled at and threatened by the officer.	Investigation showed this was likely a false complaint. The complainant and alleged witness never responded to requests for contact; records show the officer made no traffic stops on the date in question; and the complainant was upset with the officer over his involvement in having the complainant evicted from public housing. Finding – ADMINISTRATIVELY UNFOUNDED.

## CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
Complainant alleged an unknown officer stared at him while the complainant was on the phone. He alleges that when he asked the officer a question, the officer called him a “dope dealer.”	Complainant did not respond to attempts to contact him. Thus, no employee could be identified. Further, the complainant has a history of convictions for dealing drugs. Finding – ADMINISTRATIVELY UNFOUNDED.
Complainant alleged the named officer stopped the subject for jaywalking and was argumentative and combative.	Investigation confirmed that the named officer used his voice, intimidation, and minor amount of force to control the subject. Although offensive to the witnesses, the evidence did not establish misconduct where the subject was verbally abusive and did not comply with verbal commands. Finding – Converted to Supervisory Referral (SR).
Complainant alleged the named employee entered and searched his home, searched his vehicle, and threatened him with further harassment.	Investigation showed that the officer went to the complainant's residence to warn him against participating in extortion of one of the officer's relatives. The complainant consented to the entry and search; however, the officer should not have pursued personal business on duty and in uniform. Finding – SUSTAINED.

Complainant alleged she was observing the named officers make an arrest when they turned and used profanity against her.	The investigation produced no evidence to indicate that the incident occurred as described. The accounts diverged completely, and the complainant and a witness could not be reached for further clarification. Finding – UNFOUNDED.
--	--

## FAILURE TO IDENTIFY SELF

Synopsis	Action Taken
Complainant alleged officers responding to drug overdose call refused to identify themselves and one officer made derogatory comments.	Investigation showed that the named officers merely stated that they would not be writing an incident report. Finding – UNFOUNDED.  Investigation also showed the named officer made all or part of the offending comments. Finding – SUSTAINED.
Complainant alleged that when he contacted officers who were involved in a traffic stop at his apartment complex, they were rude and failed to identify themselves.	The investigation showed the complainant was intoxicated and confronted the officers during a stop. He was directed to stand back. One officer did show their I.D. to the complainant. Findings – UNFOUNDED (Rudeness); EXONERATED and UNFOUNDED (Failure to I.D.).

## Definitions of Findings:

**Sustained:** The allegation of misconduct is supported by the evidence.

**Not Sustained:** The evidence neither proves nor disproves the allegation of misconduct.

**Exonerated:** The event described did occur, and the actions taken by the officer(s) were lawful and proper.

**Unfounded:** The allegation of misconduct did not occur as described.

**Administratively Unfounded or Administratively Inactivated:** The case has a fundamental legal or procedural defect or the involved personnel cannot be identified. Inactivated cases may be re-opened if new information is received.

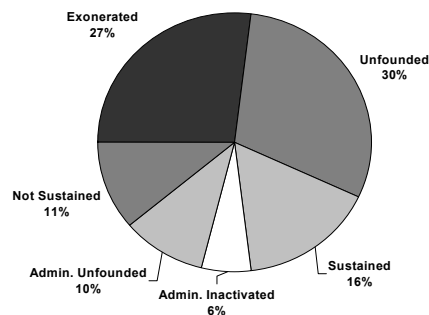
## Status of OPA Contacts to Date:

### 2002 Contacts

	December 2002	Jan. - Dec. 2002
Contact Logs	50	573
Cases Assigned for Supervisory Review	11	104
Cases Assigned for Investigation (IS; LI)	17	201
Cases Closed	22	140*
Commendations	27	1,416

\*includes 2002 cases closed in 2003

**CHART A**  
**Dispositions of Allegations in Completed Investigations**  
**2002 Cases**  
**N=272 Allegations in 140 cases**



### 2003 Contacts

	March 2003	Jan-Dec 2003
Contact Logs	68	168
Cases Assigned for Supervisory Review	19	34
Cases Assigned for Investigation (IS;LI)	24	47
Commendations	63	270